

REMARKS

Claims 1-27 are currently pending in the subject application and are presently under consideration. Claims 1, 17, 18, and 23 have been amended as shown at pages 9-12 of the Reply. In addition, the specification has been amended as indicated at pages 2-7. Figure 2a has been amended as indicated at page 8.

Applicants' representative thanks Examiner Wang for the courtesies extended during the telephonic interviews conducted on August 8, 2007. Examiner was contacted to discuss the drawing and specification objections, rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103(a). During the interview a set of proposed amendments presented to address the drawing and specification objections. These amendments have been incorporated into the drawings and specification as shown above. Additionally, proposed amendments to the independent claims were presented to overcome the references cited under 35 U.S.C. §102(e) and 35 U.S.C. §103(a). Examiner indicated that further search and consideration was required to determine if the claims would be allowed.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to Drawings

The drawings are objected to because of the following informalities: “TEST VERSION COMPONET”, cited in Fig. 2a, element 220, should be corrected as “TEST VARIATIONS COMPONET”. The drawings have been amended to correct this informality. As such, this objection should be withdrawn.

II. Objection to Specification

The specification is objected to for various informalities. The specification has been amended to correct all informalities that were identified. Accordingly, this objection should be withdrawn.

III. Rejection of Claims 1-11 and 14-22 Under 35 U.S.C. §102(e)

Claims 1-11 and 14-22 stand rejected under 35 U.S.C. §102(e) as being anticipated by Mandava, *et al.* (US 7,210,066 B2) hereinafter “Mandava-1”. It is respectfully submitted that

this rejection should be withdrawn for at least the following reasons. Mandava-1 does not teach each and every element of the subject invention as recited in the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Trintec Industries, Inc., v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 U.S.P.Q.2D 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject claims relate to maintaining fine grained information regarding test versions and their relationship to versions of source code in such a way as to allow for robust management reporting. In particular, independent claim 1 (and similarly independent claim 14, 17) recites *a test case file component that includes **metadata associated with test components and source under test components received from the version component that indicates relationships between versions of source under test components and versions of test cases, the test case file component includes attributes necessary for query and test management, source under test components represent specific versions of source code.***

Mandava-1 does not teach or suggest the aforementioned novel features as recited in the subject claims. The cited reference discloses a system for identifying test coverage. The system provides a mechanism for associating a test case with a feature from a specification. Using these associations, a user can determine which features are covered by which tests, thereby allowing them to determine how well the features are covered by tests. However, Mandava-1 is silent regarding source code being tested and particularly does not mention versions of source code or versions of tests. The cited reference merely mentions version of specification which is not the equivalent. For a single version of a specification, there can and likely will be many versions of source code attempting to implement the features of the specification. Therefore, Mandava-1 fails to teach or suggest a test case file component that includes metadata associated with test components and source under test components received from the version component that indicates relationships between versions of source under test components and versions of test components.

In view of the foregoing, applicants' representative respectfully submits that Mandava-1 fails to teach or suggest all limitations of independent claims 1, 14, and 17 (and claims 2-11, 15, 15, and 18-22 that depend there from), and thus fails to anticipate the subject claims. Accordingly, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claims 23-27 Under 35 U.S.C. §102(e)

Claims 23-27 stand rejected under 35 U.S.C. §102(e) as being anticipated by Mandava, et al. (US 7,203,928 B2) hereinafter "Mandava-2". It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Mandava-2 does not teach each and every element of the subject invention as recited in the subject claims.

Independent claim 23 recites *loading a test case in accordance with a test case file stored in a source file; executing the test case on a source code under test; and generating test results, wherein the test results are version tagged to indicate the relationship between test results, version of test case, and version of source code under test*. The subject claim discloses providing information that indicates the relationship between a test result and the version of a test case and version of source under test. Mandava-2 does not teach or suggest the aforementioned novel features as recited in the subject claims. The cited reference discloses a method for providing standardized reporting of test results. The system employs codes that testers can associate expected results and rationale for the results. This allows different testers to understand the test that was created and what is expected when the test is executed. However, Mandava-2 is silent regarding versions of a test case and version of source code being tested. Therefore, Mandava-2 fails to teach or suggest generating test results, wherein the test results are version tagged to indicate the relationship between test results, test case version, and source under test version.

In view of the foregoing, applicants' representative respectfully submits that Mandava-2 fails to teach or suggest all limitations of independent claim 23 (and claims 24-27 that depend there from), and thus fails to anticipate the subject claims. Accordingly, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 12-13 Under 35 U.S.C. §103(a)

Claims 12-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mandava-1 in view of Mandava-2. It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Mandava-1 and Mandava-2, alone or in combination, do not teach each and every element of applicant's invention as recited in the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claim 12-13 depends from independent claim 1. As noted *supra*, Mandava-1 and Mandava-2 do not teach or suggest test version or source under test version. Therefore, Mandava-1 and Mandava-2 fail to teach or suggest a test case file component that includes metadata associated with test components and source under test components received from the version component that indicates relationships between versions of source under test components and versions of test components..

In view of at least the foregoing, applicant's representative respectfully submits that Mandava-1 and Mandava-2, alone or in combination fail to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claims 12 and 13 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP641US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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